

UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/829,707	04/10/2001	James U. Morrison	26017-3

CONFIRMATION NO. 1778

FORMALITIES LETTER



OC00000006076665

Raymond A. Miller
Benesch, Friedlander, Coplan & Aronoff LLP
2300 BP Tower, 200 Public Square
Cleveland, OH 44114-2378

Date Mailed: 05/15/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$198.
 - \$198 for 22 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 618.

CFR1.136(b) NOTICE 00000043 09029707

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09/16/2001

355.00 OP
198.00 OP
65.00 OP

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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#34

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : James U. Morrison Art Unit: 1645
Serial No. : 09/829,707 Examiner: not yet assigned
Filing Date : April 10, 2001 Docket No.: 26017-3
Title : METHOD AND COMPOSITION FOR
CONTROLLED RELEASE ACARBOSE
FORMULATIONS

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8*

I hereby certify that these papers are being deposited with the United States Postal Service with sufficient postage as "FIRST CLASS MAIL" in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

July 12, 2001

(Date)

Kara L. Krist

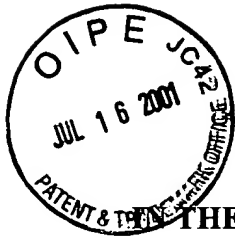
(type or print name of person mailing paper)

Kara L. Krist

Signature

Enclosures:

1. Response to Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. 1.53(b) (2 pages, in duplicate);
2. Copy of Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. 1.53(b) (2 pages);
3. Properly executed Combined Declaration and Power of Attorney (3 pages);
4. Check in the amount of \$618.00, which includes \$355.00 for the small entity basic filing fee, \$65.00 for late payment of the filing fee and \$198.00 for 22 additional claims;
5. Return receipt postcard.



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : James U. Morrison
Title : Method and Composition for Controlled Release Acarbose Formulations
Application No. : 09/829,707
Filing Date : April 10, 2001
Docket No. : 26017-3

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION UNDER 37 C.F.R. 1.53(b)**

Dear Sir:

In response to the Notice to File Missing Parts with a date of mailing of May 15, 2001,
enclosed are the following items:

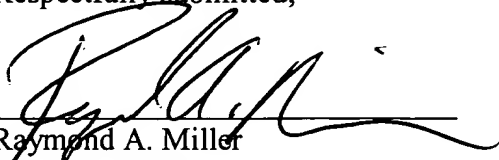
- 1) Copy of the Notice to File Missing Parts;
- 2) Properly executed Combined Declaration and Power of Attorney; and
- 3) Check for \$618.00, which includes \$355.00 for the small entity basic filing fee,
\$65.00 for late payment of the filing fee, \$198.00 for 22 additional claims.

Pursuant to the revised rules in 37 C.F.R. 1.27, Applicant claims entitlement to small entity status, and thus, all fees in connection with this application will be paid accordingly.

The foregoing submission is believed to meet the requirements of the Notice to File Missing Parts. The Commissioner is authorized to charge any additional fees or credit any overpayments to Deposit Account No. 02-2051.

Respectfully submitted,

July 12, 2001



Raymond A. Miller
Reg. No. 42,891

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